

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Yhine Hines**

**Docket No. 5:17-CR-14-1BO**

**Petition for Action on Supervised Release**

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Yhine Hines, who, upon an earlier plea of guilty to Conspiracy to Distribute Cocaine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable James R. Spencer, U.S. District Judge for the Eastern District of Virginia, on May 30, 2002, to the custody of the Bureau of Prisons for a term of 300 months. On June 18, 2003, pursuant to the government's motion to reduce sentence pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure, the defendant's sentence was reduced from 300 months to 200 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Yhine Hines was released from custody to the Middle District of North Carolina on June 26, 2015, at which time the term of supervised release commenced. On December 3, 2015, U.S. Probation Officer Matthew J. Wzorek in the Durham, North Carolina Office submitted a letter and requested a reduction in the defendant's monthly restitution payment. On January 4, 2016, the court ordered that the defendant pay monthly installments of \$50 per month. The defendant transferred from the Middle District of North Carolina to the Eastern District of North Carolina on December 22, 2015. On October 27, 2016, Hines tested positive for marijuana, which was confirmed through laboratory analysis on November 6, 2016. The defendant signed an admission of drug use form, was verbally reprimanded, counseled about his actions, and referred to outpatient substance abuse treatment. On December 5, 2016, the court agreed to continue supervision. Jurisdiction was transferred to the Eastern District of North Carolina on January 11, 2017.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

During a home inspection on November 14, 2017, the defendant tested positive for marijuana via instant urine screen. Hines readily admitted smoking marijuana on November 11, 2017, and he signed an admission of drug use form. Additionally, Hines admitted to associating with a convicted felon without having permission from the probation officer. He was verbally reprimanded for these violations and counseled about his actions. As a sanction for these violations, we are recommending that he be placed on 30 days curfew with electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith  
Dewayne L. Smith  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2338  
Executed On: November 22, 2017

**ORDER OF THE COURT**

Considered and ordered this 7 day of December, 2017, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge